



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

Date: **APR 14 2016**

CERTIFIED MAIL NO. 7014 2120 0003 0493 2327  
RETURN RECEIPT REQUESTED

Mr. Victor J. Bruno  
Owner  
Atlas Galvanizing, LLC  
2639 Leonis Boulevard  
Vernon, CA 90058

RE: **Request for Information In re: Atlas Galvanizing, LLC (AGL)**  
**EPA Identification Number: CAD008251308**

Dear Mr. Bruno:

The United States Environmental Protection Agency (EPA), Region 9 hereby requests additional information following the July 21, 2014 and September 21, 2015 compliance evaluation inspections conducted at the Atlas Galvanizing, LLC (AGL or Facility) facility located at 2639 Leonis Boulevard, in Vernon, CA, EPA Identification Number CAD008251308. The information being requested will supplement observations made by the EPA inspection team.

Pursuant to EPA's authority under Section 3007(a) of the Resource Conservation and Recovery Act (RCRA) [42 U.S.C. § 6927(a)], AGL is required to submit the information and documents listed in Attachment I of this letter using the instructions included in Attachment II. Also, complete and submit the certification included in Attachment III.

Failure to respond fully and truthfully may result in enforcement action by EPA pursuant to Section 3008(g) of RCRA (42 U.S.C. § 6928(g)). These statutory provisions authorize EPA to seek the imposition of penalties of up to \$37,500 per day of noncompliance. Please be further advised that provision of false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

This request for information is not subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act because it is not a collection of information within the meaning of 44 U.S.C. §§ 3502(3), 3507, and 3512. *See, also*, 5 C.F.R. §§ 1320.3(c), 1320.5, and 1320.6(a).

Furthermore, it is exempt from OMB review under the Paperwork Reduction Act because it is part of an investigation of a specific individual or entity. 44 U.S.C. § 3518(c)(1); 5 C.F.R. § 1320.4.

Your response to this request must be made by letter, signed by a duly authorized official, and submitted to the EPA within thirty (30) calendar days from the date of your receipt of this letter. Please address the submittal to:

Christopher Rollins  
Mailcode: ENF-2-2  
Waste and Chemical Section  
Enforcement Division  
U.S. Environmental Protection Agency  
75 Hawthorne Street  
San Francisco, CA 94105  
e-mail: [rollins.christopher@epa.gov](mailto:rollins.christopher@epa.gov)

In lieu of submitting the requested response by mail, AGL may submit the response as portable document files via electronic mail, unless the response contains Confidential Business Information (CBI).

You may have been provided during the inspection with a Small Business Regulatory Enforcement and Fairness Act (SBREFA) Information Sheet. If not, please see <http://www2.epa.gov/sites/production/files/2015-05/documents/smallbusinessinfo.pdf>. The Information Sheet is designed to provide information on compliance assistance and inform small businesses of their rights to comment to the SBREFA Ombudsman concerning EPA enforcement activities. Be aware that SBREFA does not eliminate your responsibilities to respond to this letter within the allowed time nor does it create any new rights or defenses under the law.

If you have any questions regarding this letter, please contact Christopher Rollins at (415) 947-4166, or have your attorney contact Rebekah Reynolds with the Office of Regional Counsel at (415) 972-3916.

Sincerely,



Douglas K. McDaniel  
Chief, Waste and Chemical Section  
Enforcement Division

Enclosures

cc:

Kristine Green, DTSC; [kristine.green@dtsc.ca.gov](mailto:kristine.green@dtsc.ca.gov)

## ATTACHMENT I

Therefore, pursuant to EPA's authority under Section 3007(a) of RCRA, Atlas Galvanizing, LLC (AGL or facility) is requested to submit to EPA the following information or answer the following questions:

- 1) Describe each stage of AGL's galvanizing process from beginning to end. As part of the description, specify any and all chemicals added to each stage of the galvanizing process and explain the reason for adding each chemical.
- 2) Provide a complete list of all waste streams generated at each stage of the galvanizing process. For each waste stream identified, describe where in the process the waste is generated, and AGL's waste determination conclusion (e.g., RCRA hazardous waste, Non-RCRA Hazardous Waste, etc.). AGL's list of waste streams should include, but is not limited to: 1) Ferrous Sulfate Crystals; 2) Floor Sweepings; 3) Tank Bottoms [i.e., Caustic Tank, Sulfuric Acid Tanks, Muriatic Tank, and the Molten Zinc Tank]; 4) Spent Acids [i.e., Sulfuric Acid and Muriatic Acid]; 5) Spent Caustics and Oil; 6) Contaminated Filters; 7) Wood Chips and Debris; 8) Acid and Saw Dust; 9) Ferrous Sulfate Soil and Debris; 10) Zinc Skimmings; 11) Zinc Dross; and 12) Zinc Scrap Metal.
- 3) Please provide an updated and complete process diagram for AGL's galvanizing process.
- 4) Provide the frequency of draining and cleaning-out of AGL's caustic tank (e.g., tank bottoms and caustic liquids and oils). When the facility drains and cleans-out the caustic tank are both the tank bottoms and the caustic liquids and oils typically removed at the same time? If not, why not?
- 5) Describe how the spent tank bottom wastes generated from the caustic tank are shipped off for disposal. Describe how the spent caustic liquids and oils generated from the caustic tank are shipped off for disposal.
- 6) Provide a copy of all shipping documents associated with the facility's off-site shipment of caustic tank bottoms and caustic liquids and oils in the last five years (Jan 2011 – Jan 2016). How does AGL distinguish between caustic tank bottoms and caustic liquids and oils on the shipping documents? If AGL does not have any shipping documents associated with their caustic tank bottoms or caustic liquids and oils, please explain why in detail.
- 7) Provide the most recent copies of AGL's waste profile sheets and the waste analysis results for AGL's spent caustic tank bottoms and caustic liquids and oils generated in the last ten years (Jan 2006 – Jan 2016). If AGL does not have copies of the waste profile sheets or waste analysis results for their caustic tank bottoms or caustic liquids and oil, please explain why in detail.

- 8) Provide the frequency of draining and cleaning-out of AGL's muriatic acid tank (e.g., tank bottoms and spent muriatic acid liquids). When the facility drains and cleans-out the muriatic acid tank are both the tank bottoms and the muriatic acid liquids typically removed at the same time? If not, why not?
- 9) Describe how the spent tank bottom wastes generated from the muriatic tank are shipped off for disposal. Describe how the spent muriatic acid liquids generated from the muriatic tank are shipped off for disposal.
- 10) Provide a copy of all shipping documents associated with the facility's off-site shipment of muriatic acid tank bottoms and muriatic acid liquids in the last five years (Jan 2011 – Jan 2016). How does AGL distinguish between muriatic acid tank bottoms and muriatic acid liquids on the shipping documents? If AGL does not have any shipping documents associated with their muriatic acid tank bottoms or spent muriatic liquids in the last five years, please explain why in detail.
- 11) Provide the most recent copies of AGL's waste profile sheets and the waste analysis results for AGL's muriatic acid tank bottoms and muriatic acid liquids generated in the last ten years (Jan 2006 – Jan 2016). If AGL does not have copies of the waste profile sheets or waste analysis results for their muriatic acid tank bottoms or muriatic acid liquids, please explain why in detail.
- 12) Provide the frequency of draining and cleaning-out of AGL's sulfuric acid tanks (e.g., tank bottoms, ferrous sulfate crystals and spent sulfuric acid liquids). When the facility drains and cleans-out the sulfuric acid tanks are the tank bottoms, ferrous sulfate crystals and the sulfuric acid liquids typically removed at the same time? If not, why not?
- 13) Describe how the spent tank bottom wastes generated from the sulfuric acid tanks are shipped off for disposal. Describe how the spent ferrous sulfate crystals generated from the sulfuric acid tanks are shipped off for disposal. Describe how the spent sulfuric acid liquids generated from the sulfuric acid tanks are shipped off for disposal.
- 14) Provide a copy of all shipping documents associated with the facility's off-site shipment of sulfuric acid tank bottoms in the last five years (Jan 2011 – Jan 2016). How does AGL distinguish between sulfuric acid tank bottoms and sulfuric acid liquids on the shipping documents? If AGL does not have any shipping documents associated with their sulfuric acid tank bottoms in the last five years, please explain why in detail.
- 15) Provide the most recent copies of AGL's waste profile sheets and the waste analysis results for AGL's sulfuric acid tank bottoms, ferrous sulfate crystals and sulfuric acid liquids generated in the last ten years (Jan 2006 – Jan 2016). If AGL does not have copies of the waste profile sheets or waste analysis results for their sulfuric acid tank bottoms, ferrous sulfate crystals or sulfuric acid liquids, please explain why in detail.

- 16) Explain whether AGL combines or has ever combined its tank bottom waste streams (i.e., caustic, sulfuric acid and muriatic acid) with its floor sweeping wastes, and/or its ferrous sulfate waste streams for the purposes of disposal. If so, how did AGL characterize and ship this waste off for disposal?
- 17) What liquids were observed leaking from the 55-gallon poly drum, during EPA's September 2015 inspection, and documented in the observations section of the November 3, 2015 inspection report? What was the source of these liquids and were the liquids managed as a RCRA or Non-RCRA Hazardous Waste?
- 18) Provide the date, including month, day, and year of when AGL began managing the facility's Ferrous Sulfate Soil (S17921-SL1), Ferrous Sulfate Soil & Debris (S26189-SL1), and Floor Sweepings (S21280-SL1) as one collective waste stream. In addition, please provide copies of the waste profiles for each of the following waste streams (i.e., Ferrous Sulfate Soil, Ferrous Sulfate & Debris and Floor Sweepings) prior to managing them as one collective waste stream (between Jan 2005 – Jan 2015).
- 19) Provide a complete copy of the 2011 third party audit and waste stream evaluation (e.g., RCRA Hazardous and Non-RCRA Hazardous Waste) discussed during EPA's 2014 inspection. Include all attachments to the report.
- 20) Provide documentation (e.g., photos, profile sheets, analytical data, etc.) that AGL has returned to compliance regarding all potential violations documented in EPA's inspection report (Pages PV-1 and SOPV-1 to SOPV-5) issued on November 3, 2015.
- 21) Provide a list of all the names and addresses of the facilities where AA Sydcol LLC (EPA ID No. CAD008251308) sent AGL's CA-181 and CA-352 waste streams for disposal from 2011 - 2016.
- 22) Provide DTSC's letter or email approving AGL's use of Ferrous Sulfate Crystals as an Excluded Recyclable Material (ERM).



## ATTACHMENT II INSTRUCTIONS

In responding to this Request for Information, apply the following instructions and definitions:

1. Answer Every Question Completely. A separate response must be made to each of the questions set forth in this Information Request. For each question contained in this letter, if information responsive to this Information Request is not in your possession, custody, or control, please identify the person(s) from whom such information may be obtained.
2. Number Each Answer. When answering the questions in Attachment I, please precede each answer with the corresponding number of the question and subpart to which it responds.
3. Number Each Document. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the question to which it corresponds.
4. Provide the Best Information Available. Provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. You should seek out responsive information from current and former employees/agents, if necessary. If you are unable to answer a request in a detailed and complete manner or if you are unable to provide any of the information or documents requested, indicate the reason for your inability to do so. If you have reason to believe that there is an individual who may be able to provide more detail or documentation in response to any request, state that person's name and last known address and phone number and the reasons for your belief.

If anything is deleted from a document produced in response to this Request for Information, state the reason for and the subject matter of the deletion. If a document/information is requested but is not available, state the reason for its unavailability. In addition, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.

5. Identify Sources of Answer. For each question, identify all the persons and documents that you relied on in producing your answer.
6. Continuing Obligation to Provide/Correct Information. If additional information or documents responsive to this Request become known or available to you after you respond to this Request, EPA hereby requests that you supplement your response to EPA.
7. Scope of Request. The scope of this request includes all information and documents independently developed or obtained by research on the part of your company, its attorneys, consultants or any of their agents, consultants or employees.
8. Have an Authorized Person Sign the Response and Certification (Attachment III). The signatory must be an officer or agent who is authorized to respond on behalf of the company or facility.

9. **Confidential Information.** The information requested herein must be provided even though you may contend that it includes confidential information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to Section 3007(b) of RCRA, 42 U.S.C. § 6927(b), and 40 C.F. R. § 2.203(b).

If you make a claim of confidentiality for any of the information you submit to EPA, you must prove that claim. For each document or response you claim confidential, you must separately address the following points:

- i. clearly identify the portions of the information alleged to be entitled to confidential treatment;
- ii. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
- iii. measures taken by you to guard against the undesired disclosure of the information to others;
- iv. the extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
- v. pertinent confidentiality determinations, if any, by EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
- vi. whether you assert that disclosure of the information would likely result in substantial harmful effects on your business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

To make a confidentiality claim, please stamp, or type, confidential on all confidential responses and any related confidential documents. Confidential portions of otherwise non-confidential documents should be clearly identified. You should indicate the date, if any, after which the information need no longer be treated as confidential. Please submit your response so that all non-confidential information, including any redacted versions of documents are in one envelope and all materials for which you desire confidential treatment are in another envelope that is clearly marked confidential.

All confidentiality claims are subject to EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, and that it is not and has not been obtainable by legitimate means without your consent. If no such claim accompanies the information when it is received by EPA, then it may be made available to the public by EPA without further notice to you.

If the EPA determines that the information so designated meets the criteria set forth in 40 C.F.R. § 2.208, the information will be disclosed only to the extent, and by means of the procedures specified in 40 C.F.R. Part 2, Subpart B.

**ATTACHMENT III**  
**CERTIFICATION OF ANSWERS TO RESPONSES TO REQUEST FOR INFORMATION**

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, that the submitted information is true, accurate and complete, and that all documents submitted herewith are complete and authentic, unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

\_\_\_\_\_  
NAME (print or type)

\_\_\_\_\_  
TITLE (print or type)

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE